

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12524 of George F. Warner, Edwin F. Warner and Francis R. Howard, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Sub-section 7105.2 to extend non-conforming apartment house use from the first and second floors to the basements to permit the basements to be used as apartments in the R-2 District at the premises 3319, 3335, 3339, 3343 and 3347 Brothers Place, S.E., (Square 6003E, Lots 10, 11 and 57-60).

HEARING DATE: November 16, 1977

DECISION DATE: December 6, 1977

FINDINGS OF FACT:

1. The subject properties are located at 3319, 3335, 3339, 3343 and 3347 Brothers Place, S.E. and are in an R-2 District.
2. The subject lots are each improved with a two story brick apartment building .
3. There are four apartment units in each building which were constructed in 1943.
4. The basement in each building is used for storage and as a laundry room.
5. The basements are on grade in the rear of the buildings.
6. The applicant seeks permission to convert, in each of the five buildings, the first floor and basement into one single unit which will be connected by the installation of a staircase. The total converted unit will consist of a living and dining area, three bedrooms, two baths and a kitchen.
7. After the conversion the applicant proposes to sell the five apartment buildings in fee simple to separate owners who will live in the larger converted unit and rent out the three remaining units in each building.

8. The subject buildings are Class II non-conforming uses. The Board of Zoning Adjustment is authorized under Sub-section 7105.2 to approve the extension of such uses to other portions of a structure devoted to such uses provided no structural alterations are made.

9. The proposed use does not involve major structural alterations within the meaning of the Zoning Regulations.

10. The applicant has indicated that the 40% tenant turnover rate per year anticipated in the five apartment buildings will provide housing accommodations for the five tenants who will be dislocated because of the conversion.

11. The immediate surrounding land uses are devoted predominantly to detached residential dwellings interlaced with a few two-story walk-up apartments.

12. Municipal Planning Office by report dated November 10, 1977, recommended approval of the application.

13. Advisory Neighborhood Commission-8A filed no report on the application.

14. There was opposition on file to the application in the ground that the extension of the subject uses would create traffic congestion.

CONCLUSIONS OF LAW:

Based on the record the Board is of the opinion that the one unit conversion in each of the five apartment buildings will not adversely affect the present character or future development of the area but rather that the conversion and proposed sale of the subject properties will serve to stabilize the neighborhood. There will be no increase in the number of units in each building. Accordingly, it is ORDERED that the application is GRANTED.

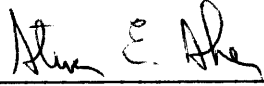
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VOTE: 4-0 (Chloethiel Woodard Smith, Charles R. Norris,
William F. McIntosh, and Leonard L. McCants, Ruby B.
McZier not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 28 DEC 1977

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX
MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR
OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING
AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS
AFTER THE EFFECTIVE DATE OF THIS ORDER.